

AGNIFILO INTRATER

April 11, 2025

VIA ECF

Hon. Arun Subramanian
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Combs*, 24-cr-542 (AS)

Dear Judge Subramanian:

We write pursuant to the Court's January 8, 2025, scheduling order for the parties to file their proposed jury questionnaires by April 11, 2025. (ECF 125.) The parties have met and conferred on their respective questionnaires and cannot come to an agreement. Though the defense does not disagree with the government's proposed questions (with the exception of the description of the case), the defense asserts that the government's proposal does not explore at all the prejudices and biases that are central to an effective inquiry to seating a fair jury. The defense believes it is important that we allow potential jurors to write candidly about the unprecedented and negative media attention that they may have been exposed to, related to Mr. Combs. Having a fulsome questionnaire that addresses these issues is essential to choosing an impartial jury in the time allotted.

Here, due to the already scheduled one week of jury selection, the questionnaire actually saves judicial court time by cutting down in-court inquiry through jurors' written responses. Evaluating those responses and collaborating with the government to determine agreed upon cause challenges can be accomplished before actual selection. The defense questionnaire, which differs from the government's, explores inquiry into the central issues at the heart of this case. A few examples of areas requiring inquiry are potential jurors' connection to drug or alcohol abuse, their connection to domestic violence, their willingness to watch videos with physical assault and videos that are sexually explicit, and their views towards people with multiple sexual partners. Because this trial involves content that is sensitive and private in nature, many individuals are uncomfortable speaking about these issues in front of others and would be more candid writing about them in a questionnaire. In another racketeering and sex trafficking case in the Eastern District, Judge Nicholas Garaufis allowed these nearly exact questions to be asked of jurors in *United States v. Raniere*, 18-cr-204 (NGG) Dkts. #491, 496, 497.

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Finally, the parties have agreed to a proposed trial day schedule, which is set out on pages 1-2 of the proposed questionnaire. We appreciate the Court's consideration.

Respectfully submitted,



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cc: All counsel (by ECF)